



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2799

DATE SCANNED 12/9/14

SCANNER NO. 2

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

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June 13, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PO/nur*
Chief Compliance Officer

Debbie Chacona *DC/nur*
Assistant Staff Director
Reports Analysis Division
KDR

BY: Kristin D. Roser/Sari Pickerall *DP*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 April Quarterly Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2014 April Quarterly Report in accordance with 2 U.S.C. 434(a). The 2014 April Quarterly Report was due on April 15, 2014.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

140002/004910

Federal Election Commission
Reason to Believe Circulation Report
2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H_S_P_UNAUTH

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|------------------------------|----------------------------------|-----------|----|--------------|-----------|-----------------|-------------|
| 2791 | C00365965 | AMERICAN ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE | | DR. JOHN S. RUTKAUSKAS | \$211,767 | 0 | 4/22/2014 | 7 | \$31,700 | \$340 |
| 2792 | C00551002 | ART GARDNER 2014 | GARDNER, ARTHUR AUGUSTINE | JOHN W. GREENWALD | \$138,983 | 0 | 4/23/2014 | 8 | \$43,335 | \$360 |
| 2794 | C00552380 | CASSIE FELDER CAMPAIGN LLC | FELDER, CASSIE ERIN | KRISTIN KOENIG | \$128,643 | 0 | 4/30/2014 | 15 | \$99,781 | \$2,090 |
| 2795 | C00295964 | DC DEMOCRATIC STATE COMMITTEE | | WILLIAM O'FIELD | \$128,594 | 0 | 5/19/2014 | Not Filed | \$32,572 | \$1,090 |
| 2796 | C00468314 | DEMOCRACY ENGINE, INC., PAC | | JONATHAN ZUCKER | \$690,617 | 0 | | Not Filed | \$345,309 (est) | \$9,800 |
| 2798 | C00224790 | GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE | | J. CHARLES GRAY | \$160,695 | 0 | 5/7/2014 | 22 | \$13,250 | \$220 |
| 2799 | C00547232 | JOE PALUMBO FOR CONGRESS | PALUMBO, JOSEPH E | KEITH BUCKHOUT | \$182,849 | 0 | | Not Filed | \$182,849 (est) | \$6,050 |
| 2800 | C00544056 | MCCASKILL SENATE FUND | MCCASKILL, CLAIRE | MICHELLE SHEROD | \$152,342 | 0 | 5/3/2014 | 18 | \$2,548 | \$117 |
| 2801 | C00509489 | PATRIOT SUPER PAC | | THOMAS FREILING | \$108,597 | 0 | 5/15/2014 | 30 | \$11,617 | \$260 |
| 2802 | C00192849 | PLUMBERS AND PIPEFITTERS LOCAL UNION 74 | | MARK R. PERMAR | \$139,426 | 1 | 5/29/2014 | Not Filed | \$21,136 | \$687 |
| 2804 | C00518027 | STEVE SALAZAR FOR CONGRESS | SALAZAR, STEVE | ROSARIO RODRIGUEZ | \$110,712 | 4 | | Not Filed | \$110,712 (est) | \$9,900 |
| 2805 | C00550830 | TEXANS FOR STOVALL | STOVALL, DWAYNE BRADLEY | KATHERINE BRACKEEN STOVALL | \$172,334 | 0 | 4/25/2014 | 10 | \$58,841 | \$1,255 |
| 2806 | C00361949 | TRIUMPH GROUP INC PAC | | CLAY CRAWFORD | \$285,599 | 1 | 5/5/2014 | 20 | \$44,338 | \$750 |

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|----------------|-----------------|-----------|----|--------------|-----------|----------|-------------|
| 2808 | C00040725 | UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC) | | ROBERT GUENTHER | \$149,073 | 0 | 5/31/2014 | Not Filed | \$14,946 | \$550 |

BEFORE THE FEDERAL ELECTION COMMISSION

14002100400

| | | |
|---|---|----------|
| In the Matter of |) | |
| |) | |
| Reason To Believe Recommendation - 2014 |) | |
| April Quarterly Report for the |) | |
| Administrative Fine Program: |) | |
| AMERICAN ACADEMY OF PEDIATRIC |) | AF# 2791 |
| DENTISTRY POLITICAL ACTION |) | |
| COMMITTEE, and DR JOHN S |) | |
| RUTKAUSKAS as treasurer; |) | |
| ART GARDNER 2014, and JOHN W |) | AF# 2792 |
| GREENWALD as treasurer; |) | |
| |) | |
| CASSIE FELDER CAMPAIGN LLC, and |) | AF# 2794 |
| KRISTIN KOENIG as treasurer; |) | |
| DC DEMOCRATIC STATE |) | AF# 2795 |
| COMMITTEE, and O'FIELD, WILLIAM |) | |
| as treasurer; |) | |
| DEMOCRACY ENGINE, INC., PAC, and |) | AF# 2796 |
| ZUCKER, JONATHAN as treasurer; |) | |
| |) | |
| GRAYROBINSON, P.A., POLITICAL |) | AF# 2798 |
| ACTION COMMITTEE, and GRAY, J. |) | |
| CHARLES as treasurer; |) | |
| JOE PALUMBO FOR CONGRESS, and |) | AF# 2799 |
| KEITH BUCKHOUT as treasurer; |) | |
| MCCASKILL SENATE FUND, and |) | AF# 2800 |
| MICHELLE SHEROD as treasurer; |) | |
| PATRIOT SUPER PAC, and FREILING, |) | AF# 2801 |
| THOMAS as treasurer; |) | |
| PLUMBERS AND PIPEFITTERS LOCAL |) | AF# 2802 |
| UNION 74, and MR MARK R PERMAR as |) | |
| treasurer; |) | |

STEVE SALAZAR FOR CONGRESS, and) AF# 2804
ROSARIO RODRIGUEZ as treasurer;)
TEXANS FOR STOVALL, and) AF# 2805
KATHERINE BRACKEEN STOVALL as)
treasurer;)
TRIUMPH GROUP INC PAC, and) AF# 2806
CRAWFORD, CLAY MR as treasurer;)

UNITED FRESH PRODUCE) AF# 2808
ASSOCIATION FRESH POLITICAL)
ACTION COMMITTEE (FRESH PAC),)
and ROBERT GUENTHER as treasurer;)

CERTIFICATION

I, Shelley E. Garr, Acting Secretary and Clerk of the Federal Election

Commission, do hereby certify that on June 17, 2014 the Commission took the
following actions on the Reason To Believe Recommendation - 2014 April Quarterly
Report for the Administrative Fine Program as recommended in the Reports Analysis
Division's Memorandum dated June 13, 2014, on the following committees:

AF#2791 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN
ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE, and
DR JOHN S RUTKAUSKAS as treasurer violated 2 U.S.C. 434(a) and make a
preliminary determination that the civil money penalty would be the amount indicated on
the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen,
Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2792 Decided by a vote of 6-0 to: (1) find reason to believe that ART
GARDNER 2014, and JOHN W GREENWALD as treasurer violated 2 U.S.C. 434(a)
and make a preliminary determination that the civil money penalty would be the amount
indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter,
Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2794 Decided by a vote of 6-0 to: (1) find reason to believe that CASSIE FELDER CAMPAIGN LLC, and KRISTIN KOENIG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2795 Decided by a vote of 6-0 to: (1) find reason to believe that DC DEMOCRATIC STATE COMMITTEE, and O'FIELD, WILLIAM as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2796 Decided by a vote of 6-0 to: (1) find reason to believe that DEMOCRACY ENGINE, INC., PAC, and ZUCKER, JONATHAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2798 Decided by a vote of 6-0 to: (1) find reason to believe that GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE, and GRAY, J. CHARLES as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2799 Decided by a vote of 6-0 to: (1) find reason to believe that JOE PALUMBO FOR CONGRESS, and KEITH BUCKHOUT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2800 Decided by a vote of 6-0 to: (1) find reason to believe that MCCASKILL SENATE FUND, and MICHELLE SHEROD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2801 Decided by a vote of 6-0 to: (1) find reason to believe that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2802 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2804 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2805 Decided by a vote of 6-0 to: (1) find reason to believe that TEXANS FOR STOVALL, and KATHERINE BRACKEEN STOVALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2806 Decided by a vote of 6-0 to: (1) find reason to believe that TRIUMPH GROUP INC PAC, and CRAWFORD, CLAY MR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 2014

Keith Buckhout, in official capacity as Treasurer
Joe Palumbo for Congress
1964 Hart Road
Lexington, KY 40502

C00547232
AF#: 2799

Dear Mr. Buckhout:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period January 1, 2014 through March 31, 2014, shall be filed no later than April 15, 2014. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On June 17, 2014, the FEC found that there is reason to believe ("RTB") that Joe Palumbo for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 15, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$6,050. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$6,050 is due within forty (40) days of the finding, or by July 27, 2014, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$182,849
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 27, 2014. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Joe Palumbo for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2. above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Lee E. York

Lee E. Goodman
Chairman

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$6,050 for the 2014 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by July 27, 2014. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Joe Palumbo for Congress

FEC ID#: C00547232

AF#: 2799

PAYMENT DUE DATE: July 27, 2014

PAYMENT AMOUNT DUE: \$6,050



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2014 SEP 10 PM 5:19

September 10, 2014

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *APCO*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division
KDR

BY: Kristin D. Roser/Sari Pickerall *JP*
Reports Analysis Division
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the
2014 April Quarterly Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2014 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

RAD would like to recommend further explanation and a specific course of action for one of the committees outlined on the attached second list:

- Steve Salazar for Congress (AF 2804) is the principal campaign committee ("PCC") for a candidate who appeared on the ballot in the 2012

140620050500

As such, RAD recommends that the Commission take no further action against Steve Salazar for Congress and permit RAD to desist from pursuing this committee in future Administrative Fine extraction reports.

Cassie Felder Campaign LLC (AF 2794) filed an Amended 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$53,796 (previously estimated to be \$99,781), thus the fine would be lowered from \$2,090 to \$1,717. The committee paid \$2,090.00 (see first list); therefore, we will issue a refund for the difference (\$373.00).

Democracy Engine, Inc., PAC (AF 2796) filed the 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$118,562 (previously estimated to be \$345,309), thus the fine would be lowered from \$9,800 to \$4,950.

Joe Palumbo for Congress (AF 2799) filed the 2014 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$124 (previously estimated to be \$182,849), thus the fine would be lowered from \$6,050 to \$124.

Please contact Debbie Chacona at extension 1145 with any questions.

RAD Recommendation

- (1) Take no further action against Steve Salazar for Congress (AF 2804) and exclude this committee from future Administrative Fine Reason to Believe recommendations.
- (2) Make a final determination that the political committees and their treasurers listed on the attached reports violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalties so indicated.
- (3) Make a final determination that the political committee and its treasurer listed on the attached report with no activity, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and will not be assessed a civil money penalty.
- (4) Send the appropriate letters.

Federal Election Commission
FD Circulation Report Fine Paid
2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Final Money Penalty | Date Paid | Amount Paid |
|------|---|------------------------------|--------------|-------------------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2791 | AMERICAN ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE | | C00365965 | JOHN S. RUTKAUSKAS | 04/22/2014 | 7 | \$31,700 | 0 | 08/17/2014 | \$340 | \$340 | 08/30/2014 | \$340 |
| 2792 | ART GARDNER 2014 | GARDNER, ARTHUR AUGUSTINE | C00551002 | JOHN W. GREENWALD | 04/23/2014 | 8 | \$43,335 | 0 | 08/17/2014 | \$360 | \$360 | 07/15/2014 | \$360 |
| 2795 | DC DEMOCRATIC STATE COMMITTEE | | C00295964 | WILLIAM O'FIELD | 05/19/2014 | Not Filed | \$32,572 | 0 | 08/17/2014 | \$1,090 | \$1,090 | 07/29/2014 | \$1,090 |
| 2798 | GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE | | C00224790 | J. CHARLES GRAY | 05/07/2014 | 22 | \$13,250 | 0 | 08/17/2014 | \$220 | \$220 | 07/14/2014 | \$220 |
| 2800 | MCCASKILL SENATE FUND | MCCASKILL, CLAIRE | C00544056 | MICHELLE SHEROD | 05/03/2014 | 18 | \$2,548 | 0 | 08/17/2014 | \$117 | \$117 | 07/07/2014 | \$117 |
| 2801 | PATRIOT SUPER PAC PLUMBERS AND PIPEFITTERS LOCAL UNION 74 | | C00509489 | THOMAS FREILING | 05/15/2014 | 30 | \$11,617 | 0 | 08/17/2014 | \$260 | \$260 | 09/09/2014 | \$260 |
| 2802 | PIPEFITTERS LOCAL UNION 74 | | C00192849 | MARK R. PERMAR | 05/29/2014 | Not Filed | \$21,136 | 1 | 08/17/2014 | \$687 | \$687 | 08/01/2014 | \$687 |
| 2805 | TEXANS FOR STOVALL | STOVALL, DWAYNE BRADLEY | C00550830 | KATHERINE BRACKEEN STOVALL | 04/25/2014 | 10 | \$58,841 | 0 | 08/17/2014 | \$1,255 | \$1,255 | 07/28/2014 | \$1,255 |
| 2806 | TRIUMPH GROUP INC PAC UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC) | | C00361949 | CLAY CRAWFORD | 05/05/2014 | 20 | \$44,338 | 1 | 08/17/2014 | \$750 | \$750 | 07/01/2014 | \$750 |
| 2808 | | | C00040725 | ROBERT GUENTHER | 05/31/2014 | Not Filed | \$14,946 | 0 | 08/17/2014 | \$550 | \$550 | 07/28/2014 | \$550 |

Federal Election Commission
FD Circulation Report Fine Not Paid
2014 APRIL QUARTERLY Not Election Sensitive 04/15/2014 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Days Since RTR | FD Penalty |
|------|--------------------------------|---------------------|--------------|---------------------|--------------|-----------|-----------------|----|------------|-------------|----------------|------------|
| 2794 | CASSIE FELDER CAMPAIGN LLC | FELDER, CASSIE ERIN | C00552380 | COREY WILLIAM DORSA | 04/30/2014 | 15 | \$53,796 | 0 | 06/17/2014 | \$2,090 | 85 | \$1,717 |
| 2796 | DEMOCRACY ENGINE, INC., N.A.C. | | C00468314 | JONATHAN ZUCKER | 06/21/2014 | Not Filed | \$118,562 | 0 | 06/17/2014 | \$9,800 | 85 | \$4,950 |
| 2799 | JOE PALUMBO FOR CONGRESS | PALUMBO, JOSEPH E | C00547232 | KEITH BUCKHOUT | 06/18/2014 | Not Filed | \$124 | 0 | 06/17/2014 | \$6,050 | 85 | \$124 |
| 2804 | STEVE SALAZAR FOR CONGRESS | SALAZAR, STEVE | C00518027 | ROSARIO RODRIGUEZ | | Not Filed | \$110,712 (est) | 4 | 06/17/2014 | \$9,900 | 85 | NFA |

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|--------------------------------------|---|----------|
| In the Matter of |) | |
| |) | |
| Administrative Fine Program - Final |) | |
| Determination Recommendation for the |) | |
| April Quarterly Report: |) | |
| AMERICAN ACADEMY OF PEDIATRIC |) | AF# 2791 |
| DENTISTRY POLITICAL ACTION |) | |
| COMMITTEE, and RUTKAUSKAS, |) | |
| JOHN S. as treasurer; |) | |
| ART GARDNER 2014, and JOHN W |) | AF# 2792 |
| GREENWALD as treasurer; |) | |
| |) | |
| |) | |
| CASSIE FELDER CAMPAIGN LLC, and |) | AF# 2794 |
| DORSA, COREY WILLIAM as treasurer; |) | |
| DC DEMOCRATIC STATE |) | AF# 2795 |
| COMMITTEE, and O'FIELD, WILLIAM |) | |
| as treasurer; |) | |
| DEMOCRACY ENGINE, INC., PAC, and |) | AF# 2796 |
| ZUCKER, JONATHAN as treasurer; |) | |
| GRAYROBINSON, P.A., POLITICAL |) | AF# 2798 |
| ACTION COMMITTEE, and GRAY, J. |) | |
| CHARLES as treasurer; |) | |
| JOE PALUMBO FOR CONGRESS, and |) | AF# 2799 |
| KEITH BUCKHOUT as treasurer; |) | |
| MCCASKILL SENATE FUND, and |) | AF# 2800 |
| MICHELLE SHEROD as treasurer; |) | |
| PATRIOT SUPER PAC, and FREILING, |) | AF# 2801 |
| THOMAS as treasurer; |) | |
| PLUMBERS AND PIPEFITTERS LOCAL |) | AF# 2802 |
| UNION 74, and MR MARK R PERMAR as |) | |
| treasurer; |) | |
| TEXANS FOR STOVALL, and |) | AF# 2805 |
| KATHERINE BRACKEEN STOVALL as |) | |
| treasurer; |) | |
| TRIUMPH GROUP INC PAC, and |) | AF# 2806 |
| CRAWFORD, CLAY MR as treasurer; |) | |

UNITED FRESH PRODUCE) AF# 2808
ASSOCIATION FRESH POLITICAL)
ACTION COMMITTEE (FRESH PAC),)
and ROBERT GUENTHER as treasurer;)

AMENDED CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 12, 2014 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated September 10, 2014, on the following committees:

AF#2791 Decided by a vote of 6-0 to: (1) make a final determination that AMERICAN ACADEMY OF PEDIATRIC DENTISTRY POLITICAL ACTION COMMITTEE, and RUTKAUSKAS, JOHN S. as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2792 Decided by a vote of 6-0 to: (1) make a final determination that ART GARDNER 2014, and JOHN W GREENWALD as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2794 Decided by a vote of 6-0 to: (1) make a final determination that CASSIE FELDER CAMPAIGN LLC, and DORSA, COREY WILLIAM as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2795 Decided by a vote of 6-0 to: (1) make a final determination that DC DEMOCRATIC STATE COMMITTEE, and O'FIELD, WILLIAM as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2796 Decided by a vote of 6-0 to: (1) make a final determination that DEMOCRACY ENGINE, INC., PAC, and ZUCKER, JONATHAN as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2798 Decided by a vote of 6-0 to: (1) make a final determination that GRAYROBINSON, P.A., POLITICAL ACTION COMMITTEE, and GRAY, J. CHARLES as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2799 Decided by a vote of 6-0 to: (1) make a final determination that JOE PALUMBO FOR CONGRESS, and KEITH BUCKHOUT as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2800 Decided by a vote of 6-0 to: (1) make a final determination that MCCASKILL SENATE FUND, and MICHELLE SHEROD as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2801 Decided by a vote of 6-0 to: (1) make a final determination that PATRIOT SUPER PAC, and FREILING, THOMAS as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2802 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS AND PIPEFITTERS LOCAL UNION 74, and MR MARK R PERMAR as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2805 Decided by a vote of 6-0 to: (1) make a final determination that TEXANS FOR STOVALL, and KATHERINE BRACKEEN STOVALL as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.


AF#2806 Decided by a vote of 6-0 to: (1) make a final determination that TRIUMPH GROUP INC PAC, and CRAWFORD, CLAY MR as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2808 Decided by a vote of 6-0 to: (1) make a final determination that UNITED FRESH PRODUCE ASSOCIATION FRESH POLITICAL ACTION COMMITTEE (FRESH PAC), and ROBERT GUENTHER as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

1400627005-19

Attest:

September 16, 2014
Date


Shawn Woodhead Werth
Secretary and Clerk of the Commission

14409272500517



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 16, 2014

Keith Buckhout, in official capacity as Treasurer
Joe Palumbo for Congress
1964 Hart Rd
Lexington, KY 40502

C00547232
AF#: 2799

Dear Mr. Buckhout:

On June 17, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Joe Palumbo for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for filing late or failing to file the 2014 April Quarterly Report. By letter dated June 18, 2014, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$6,050 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2014 April Quarterly Report. The FEC made a final determination on September 12, 2014 that Joe Palumbo for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$124 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$124

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109g(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109g (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

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The confidentiality provisions 52 U.S.C. § 30109g(a)(12) (formerly 2 U.S.C. § 437g(a)(12)) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

On behalf of the Commission,

Lee E. Yoo

Lee E. Goodman
Chairman

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$124 for the 2014 April Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Joe Palumbo for Congress

FEC ID#: C00547232

AF#: 2799

PAYMENT AMOUNT DUE: \$124

FOR: Joe Palumbo for Congress

FEC ID#: C00547232

AF#: 2799

PAYMENT AMOUNT DUE: \$124

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 10/14/2014



| Batch | Item | TID | Batch Total | Amount |
|-------|------|-----------|-------------|----------|
| 1 | 1 | Y-3076749 | \$334.00 | \$124.00 |

usbank.

St. Louis GA Lockbox
(314) 425-1818



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2799

DATE SCANNED 12/9/14

SCANNER NO. 2

SCAN OPERATOR ΣΕΪ